IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

::::

O R D E R

Mohan Swaroop VS. State of Raj. & ORS. .

S.B. CIVIL WRIT PETITION NO.713/1994 UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

DATE OF ORDER : 6.7.2006

PRESENT

HON'BLE MR.MOHAMMAD RAFIQ,J.

Mr.RS Saluja, for the petitioner.
Mr.Rameshwar Dave, Dy.GA, for the respondent-State.

<><><>

BY THE COURT: -

In the present writ petition, the petitioner has challenged the order dated 18.1.1994 (Annex.3) whereby his services have been terminated and has prayed that the order terminating his services be declared to be invalid and he should be deemed to have continued in service as if the aforesaid order was never made and the respondents be directed to grant him consequential benefits.

In the reply, the respondents have come out with the plea

that petitioner secured appointment on the basis of forged B.Ed. Degree, which was alleged by Varanashcy Sanskrit Vishvavidhyalaya in the year 1989, whereas in fact, no such institution was in existence in that year. However, in an inquiry conducted as per the direction issued by this Hon'ble Court (at Jaipur Bench) in S.B. Civil Writ Petition No.3708/89, it was found that the said University was established in the year 1958 under the Act of U.P. State, thereafter, the U.P. State Government vide its notification dated 11.12.1975 has changed its name to Varanashcy Sanskrit Vishvavidhyalaya, Varnashi. It has also been stated in the reply that the University Grants Commission has also published a list of fake Universities on 26.6.1991 and the name of Varanashcy Sanskrit Vishvavidhyalaya has been mentioned at S.No.4. This list of fake Universities has been issued for advising the Vice-Chancellors and Registrars of all Universities, Secretaries, Departments of Education and Directors of higher education of all the State Governments and Union Territories to caution the students not to take admission into Fake and self-styled Universities and institutions functioning in different parts of the country in violation of the UGC Act, 1956.

In rejoinder, the petitioner has stated that he under bonafide belief prosecuted the studies in K.R. College, Dehli under the impression that it was affiliated to the said University

and that University was recognized by the UGC.

In the facts of this case, no relief can be granted to the petitioner. I do not find any merit in the present writ petition and the same is hereby dismissed.

No order as to cost.

(MOHAMMAD RAFIQ), J.

c.p.goyal/-